

***Remarks***

Reconsideration of this Application is respectfully requested.

Claims 1, 2, 9-11 and 20-36 are pending in the application, with claims 1 and 9 being the independent claims. No claims are sought to be amended.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

***Rejections under 35 U.S.C. § 103***

**Claims 1, 9-11, and 20-36**

Claims 1, 9-11, and 20-36 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2001/0033611 to Grimwood *et al.* ("Grimwood"), in view of U.S. Patent Application Publication No. 2004/0095963 to Rakib ("Rakib"). Applicants respectfully traverse.

The combination of Grimwood and Rakib fails to teach or suggest all the features recited in the claims. For example, the combination of Grimwood and Rakib fails to teach or suggest:

terminating transmission of the first downstream signal; and  
transmitting a second downstream signal using the second downstream transmitter in the central entity to the one or more remote devices, wherein the second signal includes timing information based on the second symbol clock

as recited in independent claim 1. Similarly, the combination of Grimwood and Rakib fails to teach or suggest:

a second downstream transmitter configured to transmit a second downstream signal to the one or more remote devices, wherein the second downstream signal includes second timing information based on a second symbol clock of the second downstream transmitter

as recited in independent claim 9.

The Office Action alleges at p. 4 that Grimwood discloses "terminating transmission of the first downstream signal (Fig. 22, start/end of superframe)" (Office Action, p. 4). Applicants respectfully disagree because Fig. 22 of Grimwood corresponds to *upstream*, and not downstream as claimed. For example, Grimwood discloses "FIG. 22 illustrates ... the symbols and codes which will be transmitted by the RU" (Grimwood, [0191]). RUs, however, do not transmit downstream in Grimwood. Grimwood discloses that RUs transmit *upstream* using upstream transmitters (see, e.g., Grimwood at [0003] and [0004] for use of the terms upstream and downstream in context).

The Office Action further alleges at p. 4 (and similarly at p. 5 regarding claim 9) that Grimwood discloses "transmitting a second downstream signal (synchronous clock signal transmission *for other direction*, paragraph [0012], page 2, lines 38-39)" (emphasis added; Office Action, p. 4). Applicants respectfully disagree because "other direction" in the context of Grimwood corresponds to *upstream*, and not downstream as claimed (e.g., "the other direction" is in contrast to "one direction" that the Office Action associates with downstream, as disclosed in Grimwood at p. 2, left column, lines 31-41). Thus, Grimwood fails to teach or suggest transmitting a second *downstream* signal as claimed.

The Office Action acknowledges that Grimwood fails to disclose a "second downstream transmitter and signal using the second downstream transmitter" (Office Action, p. 4), relying on Rakib to allegedly disclose these features. Without acquiescing to the interpretation of Rakib presented in the Office Action, Applicants submit that Rakib fails to teach first/second downstream signals based on first/second symbol clocks. Rakib requires that each downstream transmitter counts the *same master clock*. Thus, Rakib precludes the use of downstream signals based on *first/second symbol clocks* as claimed.

For example, Rakib discloses "the only requirements on the downstreams are as follows" (Rakib, [0014]). "Each downstream ... counts the same master clock." (Rakib, [0015]). Rakib discloses similar requirements in [0020] and [0021] that downstream transmitters must count the same master clock. Thus, Rakib fails to teach or suggest first/second downstream signals based on first/second symbol clocks.

Accordingly, Applicants submit that Rakib fails to cure the deficiencies of Grimwood, such that Grimwood and Rakib, alone or in combination, fail to teach or suggest all the features recited in the claims.

Dependent claims 20-27 depend from independent claim 1. Dependent claims 10, 11, and 28-36 depend from claim 9. Thus, for at least the reasons above regarding independent claims 1 and 9, and further in view of their own distinguishing features, dependent claims 10, 11, and 20-36 are patentable over the cited references. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 1, 9-11, and 20-36.

### **Claim 2**

Claim 2 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Grimwood in view of Rakib, and further in view of U.S. Patent No. 6,539,050 to Lee *at al.* ("Lee"). Applicants respectfully traverse.

As discussed above, the combination of Grimwood and Rakib fails to teach or suggest all the features recited in independent claim 1. Lee fails to cure the deficiencies of Grimwood and Rakib. The Examiner has not asserted otherwise. For at least these reasons, claim 1 is patentable over the cited references. Claim 2 depends from claim 1. Thus, for at least the above reasons with respect to claim 1, and further in view of its own distinguishing features, claim 2 is patentable over the cited references. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 2.

***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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